



Legislation Text

File #: CB 119073, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE related to public defense legal services; and authorizing an interlocal agreement with King County for public defense legal services.

WHEREAS, it is a constitutional requirement, a requirement of chapter 10.101 RCW, and a public purpose that each person charged with a crime punishable by incarceration or involved in certain other proceedings that may result in loss of liberty or loss of fundamental rights be provided with effective legal representation in order to ensure equal justice under law without regard to the person's ability to pay; and

WHEREAS, effective legal representation should be provided consistent with the constitutional requirements of fairness, equal protection, and due process in all cases where the right to counsel attaches; and

WHEREAS, it is the intention of The City of Seattle (City), consistent with chapter 10.101 RCW and other applicable law, to make such services available in an efficient manner which provides effective representation at reasonable cost to the City; and

WHEREAS, King County (County) operates and maintains a Department of Public Defense (KC-DPD), and is available to continue to provide such legal services to the City; and

WHEREAS, the County and the City are currently Parties to the Interlocal Agreement for Public Defense Services which became effective on July 1, 2014, and will be effective through December 31, 2017; and

WHEREAS, the Parties are desirous of a new agreement to continue the County's provision of these legal services; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The City Budget Director or the Director's designee is authorized to execute, for and on behalf of The City of Seattle, an agreement substantially in the form of the King County and The City of Seattle Interlocal Agreement for Public Defense Services attached hereto as Attachment 1 (Interlocal Agreement).

Section 2. If there is any inconsistency or conflict between this ordinance, including the Interlocal Agreement authorized herein, and any provision of Ordinances 122602 (as amended by Ordinances 123454 and 123634) or Ordinance 124472, this ordinance shall control to the extent necessary to resolve the conflict.

Section 3. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2017, and signed by me in open session in authentication of its passage this _____ day of _____, 2017.

President _____ of the City Council

Approved by me this _____ day of _____, 2017.

Mayor, _____

Filed by me this _____ day of _____, 2017.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment 1 - King County and The City of Seattle Interlocal Agreement for Public Defense Services